

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 10687/2021

1. Vanita W/o Shri Sureshchandra Bapna, Aged About 45 Years, Resident Of Soniyana, Tehsil Sahada, District-Bhilwara (Raj.).
2. Dakhudevi W/o Ghewarchand Choudhary, Aged About 50 Years, Resident Of Musaliya, Tehsil- Marwad, Dist.- Pali (Raj.).

----Petitioners

Versus

1. Union Of India, Through Ministry Of Road, Transport And Highway, Government Of India, Through Secretary, Transport Bhawan- 1 Parliament Street, New Delhi- 110001
2. The Prescribed Competent Authority, For Land Acquisition And Additional District Magistrate, Gangapur District Bhilwara, (Raj.).
3. Project Director Nhai, Project Implementation Unit, 6-A-1, R.c. Vyas Colony, Bhilwara 311001.
4. The Executive Officer, Municipality Gangapur, Dist- Bhilwara.

----Respondents

For Petitioner(s)	:	Mr. S.S. Sisodia
For Respondent(s)	:	

HON'BLE MR. JUSTICE VIJAY BISHNOI

Order

17/08/2021

Learned counsel for the petitioners has submitted that the petitioners have surrendered their land to the respondent- Municipal Board and a patta under Section 90(B) of the Land Revenue Act was issued in their favour and layout plan was also sanctioned. It is further submitted that later on, the land was

acquired by the National Highway Authority for the purpose of construction of a road. It is further submitted that the Land Acquisition Officer has passed an award and ordered that the compensation of the acquired land be given to the Municipal Board instead of the petitioners. It is submitted that when the petitioners are having patta of the land, which has been acquired by the National Highway Authority, they only are entitled for the compensation.

Issue notice. Issue notice of stay application also.

Meanwhile and until further order, compensation shall not be disbursed, if already not disbursed, in favour of the Municipality, Gangapur, District Bhilwara pursuant to the order dated 19.07.2021 passed by the Sub-Divisional Officer, Gangapur, District Bhilwara.

(VIJAY BISHNOI),J

36-Taruna/-



सत्यमेव जयते